

### **REMARKS**

Applicants respectfully request reconsideration of this application. Claims 6 and 19 have been amended, and claims 40-43 have been canceled by this amendment. No claims have been added.

#### **Response to Examiner's Argument**

Applicants respectfully maintain that the currently pending claims are not anticipated by Saito (U.S. Patent No. 6,002,772) under 35 U.S.C. §102(e), and are further not made obvious by Saito under 35 U.S.C. §103(a).

Applicants maintain that Saito does not teach, disclose, or make obvious the following element as required by various pending claims, such as, for example, claim 6: "transferring from the content source the encrypted content and the encrypted title key to a storage medium where the encrypted content and the encrypted title key may be accessed by the customer".

In Saito, the *encrypted* title key is not transferred to a storage medium where it may be accessed by the customer. Instead, "the encrypted secret-keys Cks1kb1 and Cks2kb1 are distributed to the first user" (column 7, lines 1-2), where the "first user decrypts the distributed secret-keys Cks1kb1 and Cks2kb1" (column 7, lines 3-4), and the "decrypted secret-keys are stored" (column 7, line 12).

Saito, in fact, teaches away from storing the secret-keys in this manner

since "there may be the possibility of improper use of the secret-keys if the management of the secret-keys is made by the user" (column 7, lines 14-16). In Saito, therefore, the secret-keys "are automatically stored in IC card, PCMCIA card, insert board or software *which are not under the user's control*" (emphasis added, column 7, lines 17-18). Furthermore, the secret-keys that are stored are *decrypted* secret keys, not *encrypted* secret keys.

Saito, therefore, does not teach, disclose, or otherwise make obvious "transferring from the content source the encrypted content and the encrypted title key to a storage medium where the encrypted content and the encrypted title key may be accessed by the customer".

Applicants maintain that Saito does not teach, disclose, or make obvious the following element as required by various pending claims, such as, for example, claim 19: "accessing from a storage medium content encrypted with a title key, the storage medium additionally storing a customer I.D. associated with a customer requesting the content, a Media Key block (MKB), and the title key that is encrypted (encrypted title key) with a customer I.D.".

In support thereof, Applicants previously argued that Saito does not disclose that a storage medium stores content, a customer I.D., a media key block, and encrypted title key, and further does not disclose that these are all accessed from a storage medium.

In response thereto, the Examiner contend that "any access to an item on

a computer is inherently in storage of some kind. Whenever data is accessed on a computer, that data is stored somewhere on the computer, whether it be in a hard drive, memory RAM, cache, or even processor registers. All data that is processed, accessed, or manipulated by a computer is inherently stored on a storage medium at some point."

While it is true that any data must necessarily be accessed from a source, whether it is a hard drive or registers, for example, Applicants respectfully submit that the Examiner has misapplied this logic. The claim language requires that content encrypted with a title key be accessed from a storage medium, where the storage medium additionally stores a customer I.D. MKB, and a title key encrypted with a customer I.D. The claim language, in this case, necessarily implies that the claimed data be stored on the same storage medium, not from arbitrary mediums as implied by the Examiner's response.

Therefore, Applicants maintain that Saito does not teach, disclose, or otherwise make obvious: "accessing from a storage medium content encrypted with a title key, the storage medium additionally storing a customer I.D. associated with a customer requesting the content, a Media Key block (MKB), and the title key that is encrypted (encrypted title key) with a customer I.D.".

Accordingly, Applicants respectfully submit that the pending claims are not unpatentable over Saito, and Applicants respectfully request that the Examiner withdraw his rejections.

### Conclusion

Applicants respectfully submit that the claims as amended are in condition for allowance. Therefore, allowance at an early date is earnestly solicited.

The Examiner is invited to initiate an interview with the undersigned by calling 949-498-0601 if the Examiner believes that such an interview will advance prosecution of this application.

### Request for an Extension of Time

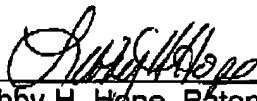
Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) if one is necessary. Please charge our Deposit Account No. 50-0221 to cover any necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 50-0221.

Respectfully submitted,

Date: March 24, 2006

  
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Libby H. Hope, Patent Attorney  
Reg. No. 46,774  
Patent Practice Group  
INTEL CORPORATION

c/o Blakely, Sokoloff, Taylor & Zafman  
12400 Wilshire Boulevard  
7<sup>th</sup> Floor  
Los Angeles, California 90025-1030  
(949) 498-0601

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Utility Patent Application